G. R. S. IX-5]

Previous references.

1897-98

~~191~~ .

(L.R.)

File No. 55-97

Serial Nos. 1– 5

Later references.

L.R. Bdg. No. 152-22

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

In ~~Part~~ B for Sept 1900

SUBJECT.

Appeal of Bhagamma re. the appointment of a Gumasta for the conduct of the Shanbhogi offic Bodda Hobli (Malur Taluk)

W D 1250—GPB—30,000 28-1-19

Indexed

Before the Government of Mysore.

Appeal No. 71 of 1897-98

Appellant.	Vs.	Respondent.
Bhagiamma		Subbayappa

Notices to the 20th served on both parties
Respt's notice served, Appt not served
27. 6. 1898

~~Sambod~~ Appellant's brother Venkatesayya
& respondent present
abd Shrotis
29/6/98

Before the Government of Mysore.

Appeal No. 71 of 1897-98.

Appellant.	Vs.	Respondent.
Bhagavanna of Doddakolabi Malur Taluk.		Shanbhogaiah of the same village.

Appeal against the order of the Dy Commr of Kolar, declining to remove the Respondent from the Shanbhog Emoluments of Doddakolabi and to appoint the person nominated by the Appellant in place of the Shanbhogi is rejected.

Posted to the 20th June
Sub to the Commissioner for
perusal
My 27/5/98

28/5/98

3/6/98

Proceedings of the Court of Inquiry

(vide Exhibit annexed & still to be filed)

Read:—

(1) Petition of Appeal No. 71 of 1897-98 presented by Bhagwanna of Dodda Hobali, Kadur Taluk, against the order of the Deputy Commr. of Kolar, declining to remove the respondent from the Khandayi pannet each in Dodda Hobali till the appellant paid him the amount due to him by his father-in-law.

(2) Letter No. 3070/910 dated 8th-15-7-98 received 18th July from the Dy. Commr., Civil District, reporting on the above. (vide ante, the letter in extenso)

R.D.s. No.

Government considers that the Dy. Commr should be called upon regarding the erroneous view he has taken of the relative position of Patels, Kanakkas & Govt.

Govt

Dodda Hobali
Kadur Taluk
Rev Cir SB

Dy 13/7/98

9307

I have made over to the Addl Asst Commr for disposal

Dy

Dax it is necessary Govt. should interfere in regulating such relations, if erroneous.

Subd

" The Dy Commr's view regarding the relative status of the Shanbhog & Kanakkas of the District & the Patel

& which

Yds 15/7/98

Government recognise any such bodies, and, if he is not officiating, an officiator he may select and at whom the Dy Comm may object, Government have nothing to do with the agreement the bodies may enter into with the pujaris. In fact, the theory is that no sharing should be allowed in the Putjai which is remuneration for service done. The Dy Comm may dispose of the pujaris in the light of these remarks. The Deputy Comm is the best judge regarding the fitness of any pujaris that may be proposed by the Registrar. This is an administrative arrangement and no appeal can lie to Government, as a matter of right

(1)

(2)

(3)

* Sub 2 : Reference is invited to para 5(a) of Rule XXII which allows maintenance of the ordinary buildings of the Poly. Besides this will have to be remembered

* Sub 2

* Reference is invited to the concluding sentence of para 5(a) of Rule XXII of the L.R. Rules: this makes the Registrar has to hear appeals & hence he is the appeal in which he is specified in Section 32 of the Poly Rules [illegible]

discretionary power
vested in the Hon
& Standing Rules
has not been
passing Enacted
at

See Remarks
on separate sheet
15/7/98

3. Govt direct that the
Attorney should himself
sign the important reports
like the one read above.

Redraft.

For Secretary.

13/7/98

The Attorney, Hobbs, Pratt
with records.

15/7/98

The remarks, however
in the accompanying case, [illegible]
made on 22nd Nov 1894 are
in entire accord with Trial
Judge said in the 2nd line.
There is no fact involved in
this case - only the question
of jurisdiction - I should certainly

on appeal.
Sentence set is wrong
in principle for each
summation depending on the
gravity of the crime committed
on each appeal

15/7/98

By the insertion of "any" for the "" in the first line of the section, the Act would apply to any agreement entered into by the parties thereto in relation to the sale of land, whether such agreement be in writing or not. The Act would then apply to a parol agreement for the sale of land, and the Statute of Frauds would have no application to such agreement. The Act would also apply to a parol agreement for the sale of land, and the Statute of Frauds would have no application to such agreement.

(1) I think "any" for the "" in the first line of the section. Else can be no parol agreement between grantor & grantee. Say cannot recognize it & about the contract into be bound by part void & upon [illegible] under the sale of the [illegible] of grantor. Agreement by part [illegible] B. void Statute 1883 repeal & re-enacted ordered the [illegible] Court to [illegible] [illegible] is no agreement between the parties. The Court [illegible] in relation to the [illegible] the point is not the [illegible] the grantor with the [illegible] & the grantee. If the [illegible] dispensed, Statute of Frauds the Court would have [illegible] the [illegible] of the Statute

and ordered the gift of another in his place. So far as existing agreement.

(2) I would request a reconsideration of the decision proposed to be made after "for service done." I think the rule is not properly stated in pages A & B. In the peculiar circumstances of the case in which the orders A & B were passed there may have been justification for the order but whether there is still such justification or not I would now that a very typical case has arisen where the principle has been corrupted carried to the point of absurdity. I say I would emphatically "No sharing in profits should be allowed." I think there is no reason to prefer A & B to

Court cannot enforce payment may be very well as I am at present advised.

Then as I understand, in such case as that the amount to which the agent was entitled by the terms of the decision of the Registrar will be paid to the principal.

So long as the rule existed it was the duty of the Council to enforce it. If the Council decided to relax it they may do so — This should be carefully considered.

CJ

and say that the principle therein laid down is reversed

As regards (3) I feel I can only state in the words of Rule ⊗. the Rule in XXXII 5. the Intg Rules. The formula is almost apparent upon the face of the Award. The amount is a much higher than the maximum recommended & I do not think the Court should interfere in the Case of the Chairman's opinion & discretion as to Award in Arbn.

I return the Ist & the Respondents Reply Brief. I enclose also Report kindly sent by the 1st Commissioner I do not know what the procedure is when there is difference of opinion between Commissioners

⊗ The Directors Rule will be the subject of the Conference at Kimberley & the Rules generally will then be considered & the Rules finally settled.

This amounts practically to the Chairman is always free to exercise a veto if he has an authority over him. — I do not consider it necessary to expound the law further in this case —

AP
19/7/25

Sub: Rev. committee Rep.

Under Clause (2) (a) of Rule 10 of the Rules of Business

"When there arises a difference of opinion between two Members of Council on any material question pending before them such question shall be referred to the Governor & the decision of the Governor shall follow the opinion with which the Governor agrees"

20/7/98.

I will not enter into further discussion. Place the Bengal decision before the Governor & obtain his views.

9/8/98

Sent I invest with the light of the Calcutta decision there will be no occasion for reference

Jas Chalmers Rao
19/7/98

We are agreed as to the decision, namely, that the Govt cannot recognize the private agreement referred to in the Agreement letter and that the Lamsta cannot be compelled by an order of Govt to pay the amount due under the mortgage deed & the registered bailment and of his emoluments — We may say so briefly and add that the appeal of Khojamans is dismissed.

There is no question of the general Lamsta-Khojamans mortgage & agreement except in so far as the Lamsta became the Khojamans agent under the mortgage deed but that has nothing to do with the private transaction

B. L. Gupta
19.7.98

9327

By the expression "any private agreement" I mean any agreement entered into by the parties privately without the knowledge or recognition of Govt.

(Sd) J.R.N.T.

But the orders of Govt imposing the liability to maintenance amount to a valid and binding agreement legally enforceable by stoppage or deduction from Pay.

Bn. D.R. & T.

I think "any" for "the" will suffice. There can be no public agreement between guardian and ward. Govt cannot recognise it and allow it to be entered into. The proceedings of Govt dated 28th October 1887 marked A refer to maintenance allowed to a minor from his guardian under the orders of the Dy. Comm. approved by Govt's Proceedings of Govt marked B dated 5th May 88 refer to maintenance ordered to be paid by a guardian appointed by Government to a minor ward. In both these proceedings there is no agreement between the parties. The Govt orders a portion of the remuneration to be paid in one case to the minor and in the other to the widow. If

there was default, I should apprehend the Govt would have ordered the dismissal of the Gumasta and ordered the appointment of another in his place. Govt cannot enforce payment in any other way. So far as regards agreement (2). I would, myself, as at present advised, recommend reconsideration of the addition proposed to be made after "for service done." I think the rule is not properly stated in Forms A & B. In the peculiar circumstances of the case in which the orders A & B were passed, there may have been justification for the orders. Whether there was such justification or not I would, now that a very typical case has arisen where the principle has been carried to the point of absurdity, lay down authoritatively that "no sharing in the Fatiqi should be allowed." I think there is no necessity to refer to Forms A & B, and say that the

There are, if I recollect aright, some cases in which the maintenance allowance was ordered to be paid by the deduction of the Fatiqi allowance. The Offce will please put up reference.

(Init) V.S. A.J.

So long as the Rule quoted is in force, no two members of Council can alter, modify or cancel it. If the Govt deem it expedient to rescind the Rule, they may do so. They should be separately consulted.

(Init) C.R. A.J.

principle therein laid down is recorded.

As regards (3) I find I am only stating in other words the rule in Rule XXXII* of the Police rules. The Dy. Comm^r is allowed to appoint officials for Govt service up to a limit of Rs ---- per month which is a much higher limit than the maximum remuneration of a Naickday. I do not know if he may not be trusted to judge of the competency of a gumasta appointed by a Chaudhary or Patel.

I return the volumes of the Mysore Law reports kindly sent by the 1st Councillor. I do not know what the procedure is when there is difference of opinion between two trying Councillors, but I trust in the light of the explanation now given there will be no occasion for difference

19-7-98 (Sd) V.P. Madhavarao

We are agreed as to the

(P.J.O)

*"The District officer will be the sole judge of his competency or otherwise of the person on whom devolves the performance of the duties of an office"

This discretionary power vested in the Dy Comm^r is always open to correction or revision by Government. It was so held in another case by the Dewan. I do not consider it desirable or expedient to take away that power from Govt

(Sd) C.R.R.
19-7-98

decision, namely, that the Govt cannot recognise the private agreement referred to in the Govt Commrs letter and that the Samaelā cannot be compelled by an order of Govt to pay the amount due under the mortgage deed to the registered holders out of his emoluments. We may say as briefly and add that the appeal of Bhagamma is dismissed.

There is no question as to the competency of the present Samaelā. Bhagamma wants to appoint another Samaelā because the Respondent refuses to make the payment due under the mortgage deed. Government has nothing to do with this private transaction

(Sd) B.R.C Chamberlain
19-7-98

I will not enter into further discussion. Place the Draft decision before the Dewan and obtain his views

(Sd) B.R.C.
9-8-98

Subd [illegible] 4

10-8-1898

13940/ This is a reference made to the Dewan in an appeal decided by Mr. Madhava Rao himself —

It has come back from the Dewan

I may [illegible] an appeal as [illegible] of the appeal — [illegible] delay I would propose a brief order to the appeal that there are no sufficient grounds to interfere with the D.C.'s order & that the appeal is therefore dismissed.

[initials]
17-8-1900

Out [illegible] [illegible] 27/8/00
[illegible] 27/8/00

Appeal No 71 of 1897-98.

Appellant:—
Bhagamma, Shanbhogi Baravaddar of Dodda Holla [illegible] Malur Taluk.

Respondent:—
Subrayappa, Shanbhog Gumasta of the same village.

Subject.

Appeal against the order of the Dy Commr of Kolar, declining to remove the respondent from the Shanbhog gumastaship till the appellant paid him the amount due to him by her late father-in-law.

The facts of the case are stated in the following extract from the Dy Commrs report:—

"One Venkataya was the Reputedar Shanbhog of the Goddekoppi village, Subrayappa officiating as his gumasta. In her deposition of 8-3-90 before the Amildar, the Petitioner claimed, apparently representing that the Reputedar Shanbhog was her father-in-law and had died about 7 or 8 years previously and that his son (her husband) died 2 or 3 years before date of petition. The Amildar reported that the gumasta had advanced

advanced 150 Rupees on account of arrears due by the petitioner to Government on condition of his being allowed to officiate as Shanbhog till the amount was refunded, (Vide document enclosed by Venkatrayal on 30th March 1893 Exhibit A) and that he might be allowed to officiate, the Register being made in petitioners name. It was accordingly ordered by Dy. Commr (Vide Dy. Commrs order No 147 dated 13-7-93 marked B in the file)

2. In 1895 petitioner Bhagavanta applied for the removal of the present Sistadar on the ground that he did

not pay her any remuneration.
The Dy Commr ruled that
the name of the next
competent gramsabha selected
by Bhagamma might be
recommended for sanction,
as the officiating Shanbhag
was reported to be infirm.
(Vide order No 230 dated 9-7-95
marked C in the file) Subbayya
protested against the order
and alleged that he was
willing to pay Bhagamma,
the petitioner half share of
Potgi and that he would
give up the office after
the payment of the sum
due to him. He relied also
upon a Karar executed by
the

the petitioner and her mother-in-law in 1884 confirming the document of 1873, but it was not acted upon.

6. 3. Mr. B.J. Krishnaiyar offg. Dy Commr directed that Subraya Offr should continue as gumasta till he was paid his debt, that if he was not competent his son might be appointed and that petitioner Bayamma should receive half the Potgi amount. (Vide order dated 4.4.96) She put in a fresh petition before Mr. Madaiya and he passed an endorsement dated 20-7-96 that the above order was correct, and that she might appeal if inclined.

* * * *

"4. As regards the 2nd point
it may be stated that there
is no village named Ko-
Kalkalli and that the rights
of Khaja Kalkhalli Village
of which Subrayappa is the
Chairman complained in 1894
that Subrayappa was levying
from them Kandayam in
excess of what was shown
in the Survey accounts. The
enquiry elicited the fact that
he had charged some ryots
Rs. 2-12-0 in excess of the
actual demand in their
Pattas deducting the same
from the amount due on the
lands in his enjoyment.
He was therefore fined Rs 5-
and

and the excess collection made since the Survey was ordered to be recovered from Subrayappa and paid to the Rayalu concerned. Vide order No. 472 dated 16-4-95."

2. The Revenue Board-ellor Carlein Dr has proposed the following order on the appeal:-

"Government consider that the Dy Commr's letter regarding the relations of the Shanbhoggundas towards the Patelar and the extent to which it is desirable Govt should interfere in regulating such relations is erroneous. Govt recognise only the Patelar, and, if he is not efficient, any efficient he may select and whom the

Dy

Dy Comm^r may approve. I just have nothing to do with the agreement the Kakdar may enter into with the grumasta. In fact, the theory is that no sharing should be allowed in the Potgi which is remuneration for service done & the Dy Comm^r may, dispose of the grumasta's case in the light of these remarks. The Dy Comm^r is the best judge regarding the fitness of any grumasta that may be proposed by the Registrar. This is an administrative arrangement and no appeal can lie to Government."

3. The Commission suggested the modifications noted in the margin

(1)
I would substitute "any private" for "the"

(2)
I would add — "the only exception being the provision for the maintenance of the widowed kakdar under para 5(a) of Rule XLIII"

(3)
as a matter of right, though it is always open to him to move an order of the Dy Comm^r when it is found that the discretionary power vested in him by Standing Rules has

has not been properly exercised.

(Ind) T.R.A.T.

margin. After some discussion which is embodied in the annexed note, the Revenue Commissioner Eastern Dn has directed that the draft decision should be submitted to the Govt and his views obtained.

4. Copies of the Policy Order, the Props of Govt referred to as (A) and (B) in the above discussion and Govt Prop Comp. No 570-77 dated 30th July 1877 are put up.

5 From para 5 of the Dy Comrs report, it appears that the respondent, besides being grandson to the appellant, is the husband Shankar of Khaji Kalkadi and that his having lived exclusively Kandayan has not been considered as disqualifying in the matter for continuing in the hereditary office of Patil

10/8/45

Proceedings of the Board to hear the Petition of Sudisanna (Female), — dated 5th May 1888.

Read: —

Letter no: 612 of the 29th March 1888 from the Deputy Commissioner of the Tanjore District relative to the petition of Sudisanna, widow of the late Sivasiva Sivachariyar — Swamy of Swamimalai and 4 other heirs of the late Sudisai Tevli, complaining of the abstinence of a stranger to the Swamiship.

Order thereon, No: 627-87 dated 5th May 1888.

11.

The rule prohibiting the recognition of widows claim to succeed to the Swamiship office of their deceased husbands has not been generally enforced, and in more than one case the claims of widows to the absence of nearer heirs have been admitted; and they have been allowed to adopt their Gurus for the discharge of the Swamiship duties; one instances of Pandaram appointed by Government have been directed to find maintenance for the widows; and Considering the hereditary nature of the office the Board is unwilling to reject the claim of the widow altogether.

2. In the particular instance now before him, the Board observe that the present Swamy is an entire stranger to the family and has been in office from 1881 and it will not be a laudable act if he is called upon either to find

a

a proper maintenance for the widow or give up Office & register in which case the widow may be called upon to appoint a competent Guardian.

/Sd/ R. Rajagopala Rao,
Secretary.

To - The Deputy Commissioner Tuticorin District with proceedings.

The Deputy Commissioner of other districts for information.

The Sub Division Officers for information

Certified
True copy.

Reference 5/11/97

(1)

1897

No. 1120 of 1897

Name of Petitioner Kochunni Shamba i Revision

Village Kollabbi

Taluk Malai

District Kolai

Date of Arzi 5-11-97

Date of Receipt 7-11-97

Date of Disposal

No. of Enclosures Four

ABSTRACT.

State that the Jumma
Sarguvaipa of Karaiyur
hic has been doing the
duties of the Kandhar
of the above village
was fined Rs 15 by
the 4th Class Magistrate of Kolai
the ryots of Kollabbi
village refused to abide
the said sum they were
unpaid to pay and also
in the latter and that
that he has been suspended
from theft in 1895-

KR 5549-1

1475-796

Reference petition

Petitioner

5-11-97

Submitted.

(1) Does R. Sharpe appeal? Stamp
(2) Has copy been sent to Govt 5-11-96
Petitioner Govt of Madras
(The) Petitioner was removed on 3-11-96
about 4 months 5/11/97
(3) Threatening and Boisterous
behaviour & menace
the present Complainant
until the petr who is the
Registered pattadar paid the
sum Rs 15 to the peons
& Rs 10 in 1893 on behalf of
petr's husband
Petr's husband
Petr's husband is a habitual
Drunkard
(4) Not appear to be a habitual
Case

Petr's Vakil argues that
the finding of the
Magistrate is not
borne out by the
evidence on record
the Magistrate has
not recorded the
evidence in the
Civil Courts. Petr's statement
about the misdemeanours of the
Capital sand are true
the HC Commissioner dismissed
Order order of Mr Hallett dt 9/9/95.
The removal of the petr is ordered
The removal of all the objections
is dismissed

that in obedience to the
Dy Comrs order No 230 Photostat attached
dated 7-7-95 the Amildar
failed to enquire the
petitioner and appoint
a proper person to do
the Jamaatship, as
the said Subragappa
was disqualified to
do the same and his
objections not allowed-
that he did not give effect
to it at all- that on
her petition to the Dy
Comr on 20-7-96, the Dy
Comr on Madrab gave
an endt stating that as
the petitioner has taken
a copy of the order made
by his predecessor
off Dy Comr No A.G. Krishnappa
in the matter, she might
appeal to Govt against
it if she pleased- that
the off Dy Comr's order 14-4-96
on the appeal preferred
to him by the Jamaath
Subragappa not to give effect

Petitioner executed a
Bond for having
received from the Guard
Rs 1500/- in 1873 and
was during the order
since then, he could
not be removed from
the office unless and until the said
amount was repaid
to him - that if he
was too old to work
and he had any
competent sons - they should
be made to work that
besides as the Guardian
was willing to pay
to her for her maintenance
half the pay if amount
if she consented to take
the amount, it should be
paid to her at the
time of distribution.
The petitioner urges
that instead of saying
anything about the Guardian's
Competency or otherwise
the above order is made

that he is not bound
in this work and he was
ordered to be removed
from the office and a
proper person appointed
nominated by the petitioner
respondent be appointed
that this order was not
given effect to - that unless
he is now removed, he
may try to prevent
her from resuming the
office for ever on the plea
of sale &c - that if any
money is due to him,
he may sue her in a
Court of law, and obtain
a decree against her - that
as some money is due to her
by him also, she will get
settled the matter by a civil
Court.

Prays therefore that the
references attached to
her petition be perused
and orders passed in
accordance with the terms
of 7-9-95 which was not
obeyed by the Accountant, and

Petition referred to on 9-9-95
above noted

they be permitted to have
the matter of payment
settled by a Civil Court
Encl 1 Endt from the
Judge as per Office
Memo Order dated
14-4-96
Enc 2. Notice issued by
the Secretary to the peti-
tioners to appear before
him for Examination
in the matter of Com-
plaint lodged by the
Pumasta.
Enc 3. Further notice
in terms of 1.
Enc 4 An unauthentic-
cated copy of the
Notice from the Civil
Court asking them
both to appear and
report as to the terms
of mutual agree-
ment between them-
selves in Thankop
Takrar.
Enc 5. Memo Endt on
petition directing the
petitioner to appeal if

against the order of the Office
Division a copy of which
she has ~~received~~ taken.

Encl. Copy of this order
dated 14-4-96
(noted above)

Encl. Copy of the Board
order dated 9-9-95
not allowing the ~~Co~~
Company's objections
and directing the Auditor
to appoint, as already directed
a person for the respondent
and with her consent.

MM
4/4/96

ગુજરાત સમાચાર — ૧૪ ઓક્ટોબર ૨૦૨૩ — પાનું ૯

ગોંડલમાં ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ

ગોંડલ, તા. ૧૩ : ગોંડલની ૧૨૫ વર્ષ જૂની શ્રી ગોંડલ ગૌશાળાનું શતાબ્દી મહોત્સવ ભવ્ય રીતે ઉજવાયો. ૧૦૦ વર્ષ પૂર્ણ થયા બાદ ૨૫ વર્ષ વધુ પૂર્ણ થતાં ૧૨૫ વર્ષની ઉજવણી કરવામાં આવી. મહોત્સવ ૧૦ ઓક્ટોબરથી ૧૩ ઓક્ટોબર સુધી ચાલ્યો. ૧૦ ઓક્ટોબરે સવારે ૭ વાગ્યે ગૌપૂજન અને ધ્વજારોહણ થયું. ૧૧ ઓક્ટોબરે ૫૧ કુંડી ગાયત્રી યજ્ઞ યોજાયો. ૧૨ ઓક્ટોબરે ૧૨૫ ગાયોનું પૂજન કરવામાં આવ્યું. ૧૩ ઓક્ટોબરે સમાપન સમારોહ યોજાયો.

ગૌશાળાના પ્રમુખ શ્રી મનસુખભાઈ વેકરિયાએ જણાવ્યું કે ગૌશાળામાં હાલ ૧૨૫૦ ગાયો છે. ૧૦૦ વર્ષ પૂર્ણ થયા બાદ ૨૫ વર્ષ વધુ પૂર્ણ થતાં ૧૨૫ વર્ષની ઉજવણી કરવામાં આવી. ગૌશાળા માટે ૧૨૫ વીઘા જમીન છે. ૧૨૫ વર્ષમાં ૧૨૫૦૦ ગાયોનું પાલન થયું. ૧૨૫ વર્ષમાં ૧૨૫૦૦ ગાયોનું પાલન થયું. ૧૨૫ વર્ષમાં ૧૨૫૦૦ ગાયોનું પાલન થયું.

મહોત્સવમાં ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા. ૧૨૫ ગામોના ૧૨૫૦૦ લોકો ઉમટ્યા.

૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ ૧૨૫ વર્ષ જૂની ગૌશાળાનું ભવ્ય શતાબ્દી મહોત્સવ

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

No. 112 dated 5th October 1897

received at the Dewan's Office from Shanmuga Chetty, Dodda Chetty, Balar Taluk, appealing against the order passed by your predecessor in the Miscellaneous Petition No. 806 of 1896-97 on the file of your Court, together with its enclosures, is forwarded to the Deputy Commissioner of the Kolar District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

Secretary.

BANGALORE,

4/1/1898

M.G.C.P.B.—25-4-95—1,000

Gen. 31.]

1898

Gl. No. 68/3
Pt. 5-3
MARKET OFFICE
BANGALORE

(3)

From The Dy Commissioner
Kolar District

To

The Secretary to the Government
Dewan of Mysore.
Revenue Department.

Dated 8th March

Despatched

Received

General No. 3048
No. 910

Enclosure, No. 8 Record.

Submitting report on the petition of the Pattagara of Kandigenahalli village in the Malur Taluk appealing against the order of the Dy Commr declining to remove the Shanbog of Gumaleria under his petition, and pay back the amount due to him—

Petitioner
21/3/98

K-R. 55-97-3

24-3-98

Respectfully submitted

24/3/98

26/3/98

The facts of the case are not disputed.

The grievance was once fixed for having levied excess Kandayam from the ryots, is said to be fufilled. It has come into the possession of the Sirkar under a deed of mortgage executed in 1873.

The only question is whether Govt is to recognize this mortgage which amounts to a sale of the Sirkar for 150 Rs. though the mortgage is opposed to all the Standing orders, Govt. ordered to resume lands alienated by the Govt. Mokta for about 24 years.

Submitted to 2nd Commr

1/4/98

The Commissioners' Office
Kolar district
8th March, 1898.

To

The Secretary to the Govt. of
of Mysore
Revenue (Land) Department

Sir,

I have the honour to submit herewith a memorandum of the petitions and statements, duly forwarded for the orders of Government, regarding the application of Khan Bahadur Hajee Abdul Rahman Sahib for the withdrawal of the criminal proceedings against the Deputy Commissioner, declining to recommend the sanctioning of gunpowder until the petitioner paid back the amount refunded to him, and the latter to state that the grounds of his complaint are:—

(1) That no offence was proved against the Deputy Commissioner in G.O. No. 220 dated 9th February 1897 ordering the prosecution of a complete stranger in lieu of Gunpowder Subhedar

(2) That Subhedar is not a

servant and was not

as he cheated the Government and
profits by levying from the ryots of
Doddaballapur Assessment in excess
of what is shown in the Survey Accounts.
The facts of the case are:-
One Venkatappa was the Registrar
Shanbog of the Doddaballapur Village.
Subramanya officiating as his Gumasta.
In her deposition of 8-3-90 before
the Amildar the petitioner claims
apparently representing that the
Registrar Shanbogue was her
father-in-law and had died about
4 or 5 years previously and that
his son (her husband) died 2 or 3
years before date of petition.
The Amildar reported that the
Gumashta had advanced 50 Rupees
on account of arrears due by the
Kulavar to Government on condi-
tion of his being allowed to officiate
as Shanbogue till the amount was
repaid vide document executed
by Venkatappa on 30th March 1893
exhibit A and that the request was
allowed to officiate, the Registering
made in Venkatappa's name. He
has accordingly ordered by Mr Cornish
(vide

(vide order dated 14-4-95) She went in a fresh petition before Mr Kadam and he passed an endorsement dated 20-7-96 that the above order was correct and that she might appeal if so inclined. She remained quiet for over a year against this and filed this appeal in Oct. 1997. It is therefore a question whether the present appeal deserves to be considered.]

The final petition presented on 18/11/96 was returned for being signed & time allowed to take one week which

4. As regards the 2nd point it may be stated that there is no village named Kodikalli and that the lands of Kodagi Kodikalli village of which Subbayya is the standing complained in respect of Subbayya was levying from him Kandayam in excess of what was shown in the survey accounts. The enquiry elicited the fact that he had charged some higher rates in excess of the actual demand in their patta thereby the same from the amount due on the land in his

(5) 2 drafts

Proceedings of the Court

Religious

Appellant — Bhagwanna

Respondent — Subroopsingh

L.R. 55-97-4

Read:

Petition of appeal No 71 of 97-98 presented by Bhagwanna of Addl Kalabi Indian Dwelt, against the order of the Dy Commr of Kaliri, declining to remove the Respondent from the Chairmanship of Addl Kalabi till the appellant paid him the amount due to him by her father-in-law.

(2) Letter No 3070/910 of 5th March 1898 from the Dy Commr Kaliri District, reporting on the above and the records received therewith.

The facts of the case are briefly as follows:—

Prior to 1339 one

Venkatarayya was the Registered
Archaka of the Dasaratalu
village, Subbarayadhikarigu
as his gumasta. The
appellant who was the widow
of a son of Venkatarayya
was, by an order of the
Dy. Comm.r dated 13-7-91,
registered as the Archaka
Archaka of Subbarayadhikarigu
the respondent being allowed
to continue as gumasta.
In 1898, Bhagavanna having
applied for the removal
of the gumasta Subbarayadhikarigu
on the ground that he did
not pay his any remuneration
the Dy. Comm.r ordered that
as the officiating Archaka
was appointed to the old
and infirm, the name of
another competent gumasta
selected by Bhagavanna
might be recommended
for sanction. Subbarayadhikarigu

protected against the above order and alleged that he was willing to pay Bhagavanna one-half of the Patigi and that he would give up the office after the payment of the sum due to him by Venkatarayi under a written document of 1873 and paid by him as a consideration for his Sunnadship. He relied also on a Kurar executed by the appellant and his mother in-law in 1884 confirming the document of 1873. The D.J. Chikballapur affg. the Sessions, directed that Subbayappa should continue as Sunnadar till he was paid his debt, but that if he was not competent his son might be appointed and that the appellant should receive one-half of the Patigi amount.

Bhagavanna having

put in a fresh petition
before Mr. L. Mudaliyar,
he passed an order on 20th
July 1896 that the above order
was correct and that
she might appeal if so
inclined. Bhagyamma has
appealed to Court against
the order.

Order No. 2152
R.Z. 5-150 £4:8:00.

There are no sufficient
grounds to interfere
with the Commrs
order and the appeal
is therefore dismissed

Record

Secretary

To

Head Translator

Fair write accts

compd
Hon.

(4)

Lr. 55-97-5